

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

JOSE NUESI RODRIGUEZ

Plaintiff

v.

INTERNAL REVENUE SERVICE

Defendant

Civil Action No.

CV 09 - 5337

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) INTERNAL REVENUE SERVICE,  
1111 Constitution Avenue, NW  
Washington, D.C 20224

DEARIE, CH. J.

POHORELSKY, M.J.

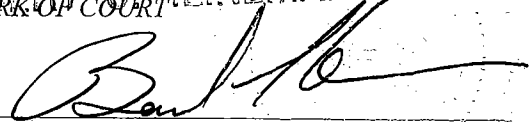
A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Elizabeth Maresca, Esq.  
Lincoln Square Legal Services, Inc.  
33 West 60th St., 3rd Floor  
New York, NY 10023

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT C. HEINEMANN  
CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: DEC 07 2009

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* INTERNAL REVENUE SERVICE  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or


☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*: I served the Summons and Complaint on the INTERNAL REVENUE SERVICE 1111  
 Constitution Avenue, NW, Washington, D.C 20224 by United States Postal Service  
 Certified Mail on 12/07/2009.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.


I declare under penalty of perjury that this information is true.

Date: 12/08/2009

  
 \_\_\_\_\_  
 Server's signature

**Cristina Castro**  
**Notary Public, State of New York**  
**No. 01CA6184019**

**Qualified in New York County**  
**Commission Expires March 24, 2012**



**Robert Weissbrot, Legal Intern**  
 \_\_\_\_\_  
 Printed name and title

Lincoln Square Legal Services, Inc.  
 33 West 60th St., 3rd Floor  
 New York, NY 10023

\_\_\_\_\_  
 Server's address

Additional information regarding attempted service, etc:

7005 1820 0001 6616 6869

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Total Postage & Fees	\$ 7.17	12/07/2009

Sent To  
**Internal Revenue Service**  
 Street, Apt. No.,  
 or PO Box No. **114 Constitution Avenue, NW**  
 City, State, ZIP+4 **Washington, D.C. 20224**

PS Form 3800, June 2002 See Reverse for Instructions